

UN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
(NORTHERN DIVISION)

MICHAEL A. LUCAS,

Petitioner, Pro se,

BY

FILED
LODGED
JUL 10 2013
CLERK, U.S. DISTRICT COURT
DISTRICT OF MARYLAND
DEPUTY

Case No. WDQ-91-0309

V.

UNITED STATES OF AMERICA,

Respondent,

MOTION TO AMEND THE JUDGMENT OF JAN 30th, 1992
AND PURSUANT TO FEDERAL RULES OF EVIDENCE 901

NOW COME, Michael A. Lucas, pro se Petitioner, hereinafter moves this Honorable Court pursuant to Federal Rules of criminal Procedure 36, to correct errors in the judgment and provide a clear and accurate record of the disposition in this case as these corrections will not change the internal structure of pro se Petitioner, Mr. Lucas's sentence.

JURISDICTION

This district court has jurisdiction over this matter pursuant to Rule 36.

On April 30th, 2013 this Honorable Court stated in its order that, because the court does not know who Cue is, whether he has authority or knowledge to verify Mr. Lucas's Social Security Number, or if the information Lucas has submitted is not sufficiently reliable to justify amending the judgment. (Citing **United States v. Cobb**, 469 F. App'x 76, 77-78 (3d Cir. 2012)). If Lucas submits clearer evidence--with greater indications of authenticity--of what he believes is his correct Social Security Number, the court will consider the merits of his request. Lucas motion to amend the judgment (ECF. No. 135), Be, and hereby is, denied without prejudice.

FED. R. EVID. RULE 901

In support as to this court Order and ruling, Petitioner submits authentic documents. The court held in **In re Japanese Electric Products Antitrust Litigation**, 723 F. 2d 238, 285 (3d Cir. 1983), authentication is controlled by the Federal Rules Of Evudence, Rule 901 which provides that "authentication or

identification as a condition precedent to admissibility is satisfied by evidence sufficient to support a finding that the matter in question is what its proponent claims." FED. R. EVUD,. 901(a). Further, the Federal Rules Of Evidence allow authentication by unlimited means, including testimony of witness with knowledge, or base upon distinctive characteristics such as "appearance, contents, substance, internal patterns, or other distinctive characteristics, taken in conjunction with circumstances." Fed. R. Evud. 901(b). See **Orr v. Bank Of America, NT & SA**, 285 F. 3d 764, 776 (9th Cir. 2002).

Inclosed, in this motion is the authentication of document from the Social Security Administration Office of Earnings Operations Division of Earnings Record Operations P.O. Box 33022 Baltimore, maryland. 21290-3022 File #: TEH2A 1360100U dated June 20, 2013.

Moreover, petitioner pray that the mistake in his Social Security Number document enumerated Clerical Errors, omissions and mistakes in the judgment of **U.S. v. Michael A. Lucas**, Case Ni. S-91-0309, dated January 30, 1992 will be corrected with this Honorable Courts acceptance of Petitioner's submission of authentic documents in support of claims.

RESPECTFULLY SUBMITTED

DATE July 4, 2013

Michael A. Lucas
MICHAEL A. LUCAS, PRO SE

REG. #: 01056-000

F.C.I. OTISVILLE

P.O. BOX 1000

OTISVILLE, NY. 10963

PURSUANT TO U.S.C. § 1746

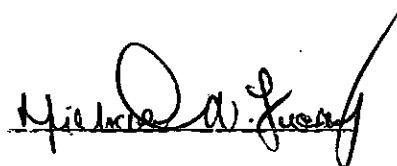
UNDER PENALTY OF PERJURY 18 U.S.C. § 1001

The undersigned under penalty of perjury declares that the forgoing request and facts contained in this motion are true and correct to the best of my recollection.

CERTIFICATE OF SERVICE

I hereby certify that on this 5th day of JULY, 2013 a true and correct copy of the within was mailed from the U.S. Postal Service at F.C.I. Otisville, New York. 10963 to:

CLERK OF COURT OFFICE
UNITED STATES DISTRICT COURT
FOR THE FOURTH CIRCUIT
101 WEST LOMBARD STREET
BALTIMORE, MD. 21201



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